

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
IN ADMIRALTY

In the matter of the Complaint of)	Civil Action No.: 2:18-cv-02396-DCN
MORAN ENVIRONMENTAL)	
RECOVERY, LLC, as the owner of the)	
vessel "Miss June" and her engines,)	ORDER APPROVING SETTLEMENT
tackle, appurtenances, etc.)	
)	
For exoneration from, or limitation of,)	
<u>liability.</u>)	

THIS MATTER COMES BEFORE THE COURT by way of Petition of the duly appointed Personal Representative of the Estate of David Wayne Rafferty, seeking an Order, pursuant to S. C. Code Ann. §15-51-42, for approval of the settlement of a wrongful death and/or survival action.

The Court has reviewed the Petition to Approve Settlement for Survival and Wrongful Death and finds that the settlement tendered by Moran Environmental Recovery, LLC, in the amount of \$1,350,000.00 is fair and reasonable, and in the best interest of the Estate of David Wayne Rafferty and the wrongful death beneficiaries.

NOW, THEREFORE, IT IS

ORDERED that the settlement by the Estate of David Wayne Rafferty with Moran Environmental Recovery, LLC, in the total amount of \$1,350,000.00 payable to the Estate of David Wayne Rafferty as set forth in the Petition to Approve Settlement for Survival and Wrongful Death is hereby approved; and

IT IS FURTHER ORDERED that Personal Representative Tiffany Provence is hereby authorized and directed to consummate the said settlement for and on behalf of the referenced Estate and any statutory wrongful death beneficiary, and to execute a full, final and complete

release and discharge of Moran Environmental Recovery, LLC, in consideration of the payment of the sum set forth above; and

IT IS FURTHER ORDERED that payment of the settlement funds by Moran Environmental Recovery, LLC, shall relieve and discharge Moran Environmental Recovery, LLC, from further liability and all obligations or legal duties to see to the appropriate or proper distribution of the settlement proceeds in accordance with S. C. Code Ann. §15-51-42(E); and

IT IS FURTHER ORDERED that, upon payment as aforesaid to the Personal Representative, the obligations of Moran Environmental Recovery, LLC, and all those who could be responsible for the actions of Moran Environmental Recovery, LLC, are fully and completely released and finally and forever discharged from any further responsibility in connection with the death of David Wayne Rafferty;

IT IS FURTHER ORDERED that attorney fees, costs, and other disbursements as set forth on **Exhibit A** attached to the Petition are approved and that the Personal Representative be and is hereby authorized and directed to make disbursements in accordance with **Exhibit A** attached to the Petition and incorporated herein by reference; and

IT IS SO ORDERED, ADJUDGED AND DECREED this 8th day of April, 2020, at Charleston, South Carolina.

A handwritten signature in black ink, appearing to read 'David C. Norton', is written over a horizontal line.

HONORABLE DAVID C. NORTON
UNITED STATES DISTRICT JUDGE